

REMARKS

By this paper, Applicant has amended claims 31 and 44. Applicant has not added any claims. The independent claims remain claims 1, 11, 12, 16 and 20. This amendment contains no new matter. Entry of this amendment is respectfully requested.

Claim Rejections – 35 USC § 102

The Examiner has rejected claims 1, 3, 5, 8-12, 14, 16, 19, 25, 27, 31-33, 39, 40 and 44-46 under 35 USC § 102 as anticipated by Pfaff (U.S. Patent No. 2,961,510 ("Pfaff").

The Examiner has cited elements 89 and 90 of Pfaff as corresponding to the uninterrupted groove of claims 1, 11, and 12. Applicant notes that elements 89 and 90 only appear on the embodiments of figures 9 and 10 of Pfaff, and the embodiment shown in figures 9 and 10 of Pfaff is only a portion of a larger "structural member" which is not shown. See Pfaff, column 5, line 1. Based on figures 9 and 10 and the specification of Pfaff, it is unknown whether elements 89 and 90 extend the length of the bearing surface or plate without interruption. Applicant believes that the Examiner has failed to make a *prima facie* case for his rejection, and respectfully requests that this rejection be withdrawn.

With respect to independent claim 16, the Examiner says Pfaff has a raised portion 63 which is capable of collapsing (at 66 or 86). However, claim 16 calls for a plurality of grooves to be formed in the raised portion, and Pfaff does not show such features in element 63. Again, Applicant respectfully requests that this basis for rejection be withdrawn.

As claims 3, 5, 8-10, 14, 19, 25, 27, 31-33, 39, 40 and 44-46 depend from one of the following independent claims 1, 11, 12 and 16, Applicant respectfully requests that the rejections of these claims be removed for the reasons stated above.

Furthermore, with respect to the Examiner's rejection of claims 31, 32, 44 and 45, Applicant has amended claims 31 and 44 (claims 32 and 45 depend from claims 31 and 44 respectively) to say that the head of the stud or the stud strikes the raised portion. In this manner, portion 33 of Pfaff does not correspond to the raised portion of these claims. Applicant respectfully requests that the Examiner withdraw this rejection of claims 31, 32, 44 and 45.

The Examiner has rejected claims 1, 3-5, 8-12, 14-16, 20-13(sic), 25, 27, 28, 33, 34, 39-41 and 46-47 under 35 USC § 102 as anticipated by Losada WO 98/47668 ("Losada").

The Examiner argues that Losada teaches extending portions located opposite uninterrupted grooves ("shown at where elements 382 are located in Fig. 13"). Applicant respectfully disagrees. The extending portions of the claims extend from the bearing surface of the plate. The clip shown in Losada has no such elements. Applicants respectfully request that the rejection be removed of the independent claims and their dependent claims.

Claim Rejections – 35 USC § 103

The examiner has rejected claim 48 under 35 USC § 103 as unpatentable over Losada in view of Pfaff.

Applicant believes independent claims 16, 46 and 47 are allowable for the reasons indicated above, and does not repeat those arguments here. Claim 48 depends from these claims, incorporating all of their limitations and should therefore be allowed for the same reason. Applicant respectfully requests that the objection be withdrawn.

Allowable Subject Matter

Applicant would like to thank the Examiner for indicating that claims 29, 30, 35-38, 42, 43 and 49-52 would be allowable if rewritten in independent form. Applicants have not amended these claims at this time, but rather hopes the Examiner will find the independent claims from which they depend allowable.

Conclusion

In view of the above, Applicants submit that the claims remaining in the application are in condition for allowance and allowance of the claims at an early date is solicited.

Please direct any calls in connection with this application to the undersigned at (510) 832-4111.

Respectfully submitted,

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Attachments:

1. Check no. 13165 for \$1020

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2. Petition for Extension of Time (3 months, 1 pg.) and copy
3. Transmittal (1 pg.)
4. Return Receipt Post Card